

**Testimony of Rep. Richard Nugent Before the
Committee on Oversight and Government Reform
Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy
January 25, 2012**

First, I want to take a moment to thank the Subcommittee and especially Chairman Ross and Ranking Member Lynch for the opportunity to speak before you today.

When I came to D.C. in 2010 for the new member orientation week, like everybody else, I met with the benefits office to talk about healthcare benefits, the Thrift Savings Plan, and the pension plans. During that meeting, I turned down the House health insurance plan. I didn't think I should have any better benefits than anybody at the Sheriff's Office. I did that because I believe that I am here, representing the people of Florida's 5th Congressional District. I am not here to enrich myself but, rather, to serve my community, my neighbors, and my nation. That's why, to this day, my wife Wendy and I buy health insurance, which we pay for out of our own pockets. This decision costs us about \$9,000 a year. During that meeting, I also tried to opt out of the congressional pension system, FERS, for the same reason. I also asked if there was a way to contribute to the Thrift Savings Program without getting a government match for my investment.

Frankly, I was shocked when the benefits representative told me that I was legally required to accept a Congressional pension, as long as I was here for at least five years. Similarly, I couldn't contribute to a TSP without a federal match. Even more, if I didn't put a single penny into the

TSP, the government would still contribute a match of one percent of my salary, without any cost to me.

Once I was sworn in, I dug into this issue to figure out why, exactly, I was legally prohibited from choosing not to participate in FERS. What I found out is that until 2004, all members of Congress could opt to decline coverage under FERS. In fact, to this day, anybody elected to Congress before September 30, 2003 continues to be able to decline FERS coverage. It is only members of the House of Representatives, not Senators, entering office after September 30, 2003 who are legally obligated to participate in FERS.

Why are Senators allowed to opt out but not Representatives? Why are folks elected before September 30, 2003 allowed to opt out but not after that date? Frankly, I don't really know.

What I do know is that I was a cop for 38 years. For the last ten of those years, I was Sheriff of Hernando County, Florida. That was my career. What I am doing here in the House of Representatives is serving my country. As I see it, you get a pension for your career, not your service. Congress is not and will not be my career. That is why I introduced H.R. 981, the *Congress is Not a Career Act*.

This bill would simply put members of Congress like me, elected to the House of Representatives after September 2003, on the same footing with the people who have been here longer than us. I want to make it clear that the *Congress is Not a Career Act* does not require

anybody to give up a pension. Similarly, supporting my bill doesn't commit you to opting out of FERS. It just simply says that we should have a choice.

H.R. 981 also gives members the choice of participating in the Thrift Savings Plan without getting a federal match. Again, the bill doesn't require anybody to do something nor does it prohibit anybody from participating in anything- it simply says that members ought to have the option to invest in their future without having taxpayers contribute to that investment. As you all may know, all three of my sons are active duty members of the Army. They, and their brothers and sisters in arms, also have a TSP plan that they can contribute to. However, the majority of service members do not receive any type of federal match for their TSP contributions. I can't fathom getting a TSP match while my kids and other service members fighting for our freedom don't get a match in theirs.

The *Congress is Not a Career Act* is not about denying anybody benefits to which they are rightly entitled. It's about allowing those of us who don't view this institution as a career, who don't think that we should get a pension for serving our country, who don't think we should be enriching ourselves while sitting in the peoples' House, the ability to opt out of the Federal Employee Retirement System and the federal match to our Thrift Savings accounts.

I was amazed when I learned that I would become vested in the federal pension system after only five years of serving in the House. At a time when Congressional approval is at near historic lows and when we are being forced to cut even the most worth of federal programs, I believe my bill would help bring some trust and respect back to the House of Representatives while also

saving the American taxpayers money, as small an amount as it may be compared to the big picture.

Again, I want to thank the Subcommittee for offering me the chance to testify before you today. When I introduced the *Congress is Not a Career Act*, I heard from a lot of people here in Congress, back home, and even in the media that this bill would never go anywhere and get lost in the jumble of the thousands of bills introduced in this House every year. This Subcommittee hearing shows that those people were wrong, that we are committed to changing the way Congress works from the inside, whether it is through H.R. 981 or any of the other bills we're discussing here today.

I appreciate this opportunity and I know my constituents in Florida's 5th District, who have almost universally supported this bill, share in my appreciation.

With that, I yield back the balance of my time.

Sheriff Rich Nugent has proudly and dutifully answered the call to serve his country and community for more than forty years.

In 1969, Rich Nugent joined the Illinois Air National Guard where he honorably served until he was discharged in 1975. Since 1972, Rich has served and protected his community as a dedicated law enforcement officer. In 1984, he and his wife Wendy moved to Hernando County, where Rich joined the Sheriff's Office. In 2000, Rich was elected Sheriff and won reelection in 2004 and 2008.

Rich and Wendy are the proud parents of three sons, all of whom are serving in the United States military. Their oldest, Ryan, graduated from West Point in 2004 and served one tour in Afghanistan. He is currently a Captain and Company Commander in the Army's 82nd Airborne and has renewed his commission for another three years. Their second son, Kyle, is an Army ROTC graduate of the University of Tampa. Upon his graduation in August of 2010, he was commissioned as a 2nd Lieutenant in the U.S. Army Reserve. Their youngest, Casey, is also a graduate of West Point and is currently a 2nd Lieutenant in the U.S. Army in the First Infantry Division. The Nugents have been members of the First United Methodist Church of Spring Hill since 1985.

The Sheriff serves on the Committee on House Administration and the powerful House Rules Committee.